#### WARRANT SPRING ANNUAL TOWN MEETING APRIL 23, 2013

#### THE COMMONWEATH OF THE MASSACHUSETTS

Middlesex, ss

To Any Constable of the Town of Natick in said County: Greeting:

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet in the Natick High School, Natick on **Tuesday Evening April 23, 2013 at 7:30 PM**, then and there to act on the following Articles:

| Article 1  | Fiscal 2013 Omnibus Budget Article  |
|------------|---|
| Article 2  | Stabilization Fund  |
| Article 3  | Capital Stabilization Fund  |
| Article 4  | Operational/Rainy Day Stabilization Fund  |
| Article 5  | Other Post-Employment Benefits (OPEB) Fund  |
| Article 6  | Collective Bargaining   |
| Article 7  | Personnel Board Pay Plan  |
| Article 8  | Elected Officials Salary  |
| Article 9  | Morse Institute Library   |
| Article 10 | Bacon Free Library  |
| Article 11 | Home Rule Petition to Establish Non-Civil Service Deputy Police Chief<br>Position |
| Article 12 | Fiscal 2014 Omnibus Budget Article  |
| Article 13 | Capital Equipment   |
| Article 14 | Capital Improvement   |
| Article 15 | School Bus Transportation Subsidy   |
| Article 16 | Feasibility Study of the Kennedy Middle School                                    |
| Article 17 | Appropriation for Natick Center Cultural District                                 |
| Article 18 | Unpaid Bills  |
| Article 19 | Amend By-laws Article 24: Personnel Board   |
| Article 20 | Rescind Authorized, Unused Debt   |
| Article 21 | Rescind Authorized Water & Sewer Enterprise Capital Projects                      |
| Article 22 | Appropriation of Mitigation Funds – Chrysler Road                                 |
| Article 23 | Appropriation of Mitigation Funds – MathWorks                                     |
| Article 24 | Board of Assessors: Increase Personal Property Exemptions                         |
| Article 25 | Establish a Fee for Food Trucks   |
| Article 26 | Re-authorization of Revolving Funds   |
| Article 27 | Adoption of Statute: Veterans Tax Work-Off Program                                |
| Article 28 | Amend Natick By-Laws: Article 41, Section 4: Veterans Tax Work-Off Participants   |
| Article 29 | Revoke Adoption of Strong Chief Status for Position of Fire Chief                 |
| Article 30 | Acceptance of Statute for Operation of Fire Department                            |
| Article 31 | Authorize Board of Selectmen to Accept, Obtain, Abandon, Relocate                 |
|            |   |

|            | Utility Easements   |
|------------|---|
| Article 32 | Acceptance of New Utility Easement and Abandonment of Old One for     |
|            | Property on Strathmore Road   |
| Article 33 | Long-Term Lease & Management Contract: Natick Community Organic       |
|            | Farm  |
| Article 34 | Home Rule Petition: Alcohol License for The Center for Arts in Natick |
| Article 35 | Organization of Natick by-laws  |
| Article 36 | Typographical Changes to the Natick Charter                           |
| Article 37 | Reorganization of Zoning By-Laws                                      |
| Article 38 | Amend General By-Laws: Medical Marijuana Moratorium                   |
| Article 39 | Amend Zoning By-Laws: Medical Marijuana Moratorium                    |
| Article 40 | Amend By-Laws: Civil Fingerprinting                                   |
| Article 41 | Street Acceptance: Main Street  |
| Article 42 | Rescind Fees for Senior Citizens to use Fitness Room at Community-    |
|            | Senior Center   |
| Article 43 | Committee Article   |

#### ARTICLE 1 Fiscal 2013 Omnibus Budget Article (Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2013 (July 1, 2012 through June 30, 2013) and to provide for a reserve fund for Fiscal Year 2013, and to see what budgets for Fiscal 2013 will be reduced to offset said additional appropriations, or otherwise act thereon.

#### ARTICLE 2 Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the stabilization fund under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

#### ARTICLE 3 Capital Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund under Article 2

of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

#### ARTICLE 4 Operational/Rainy Day Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

### ARTICLE 5 Other Post-Employment Benefits (OPEB) Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by vote of the 2011 Fall Annual Town Meeting under Article 8 pursuant to the provisions of Chapter 32B, Section 20 of the General Laws, as amended, or otherwise act thereon.

### ARTICLE 6 Collective Bargaining (Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, the funds necessary to implement the Terms of Agreements reached between the Town and the following collective bargaining units:

- a) New England Police Benevolent Association, AFL-CIO, Local 182
- b) Local 1707 International Association of Firefighters
- c) The Deputy Fire Chiefs Association

Or otherwise act thereon.

### ARTICLE 7 Personnel Board Pay Plan (Town Administrator)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend the by-laws by adding to

Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established and will provide the money necessary therefore, or otherwise act thereon.

#### ARTICLE 8 Elected Officials Salary (Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2014 (July 1, 2013 through June 30, 2014) as provided by Section 108 of Chapter 41 of the General Laws, as amended, or otherwise act thereon.

### ARTICLE 9 Fiscal 2014 Morse Institute Library (Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2014 (July 1, 2013 through June 30, 2014), or otherwise act thereon.

### ARTICLE 10 Fiscal 2014 Bacon Free Library (Town Administrator)

To see what sum of money the Town will raise, borrow or transfer for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2014 (July 1, 2013 through June 30, 2014), or otherwise act thereon.

# ARTICLE 11 Home Rule Petition to Establish Non-Civil Service Deputy Police Chief Position (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

#### AN ACT EXEMPTING THE POSITION OF DEPUTY CHIEF OF POLICE IN THE TOWN OF NATICK FROM THE CIVIL SERVICE LAW

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

- SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the position of Deputy Chief of Police in the Town of Natick shall be exempt from the provisions of Chapter 31 of the General Laws.
- SECTION 2. The provisions of section 1 shall not impair the civil service status of any person holding the position of Deputy Chief of Police of the Town of Natick on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

or otherwise act thereon.

#### ARTICLE 12 Fiscal 2014 Omnibus Budget Article (Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest during Fiscal Year 2014 (July 1, 2013 to June 30, 2014), and to provide for a reserve fund for Fiscal Year 2014, or to otherwise act thereon.

#### ARTICLE 13 Capital Equipment (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

#### ARTICLE 14 Capital Improvement (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or to otherwise act thereon.

### ARTICLE 15 School Bus Transportation Subsidy Article (Superintendent of Schools)

To see if the Town will vote to appropriate and raise, or transfer from available funds, a sum of money for the purpose of operation and administration of the school bus transportation system, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school; or otherwise act thereon.

### ARTICLE 16 Feasibility Study of the Kennedy Middle School (Superintendent of Schools

To see if the Town of Natick will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Committee for a feasibility study of the Kennedy Middle School, 165 Mill Street, Natick, MA, for which feasibility study the Town may be eligible for a grant from the Massachusetts School Building Authority. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the Town incurs in connection with the feasibility study in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town.

## ARTICLE 17 Appropriation for Natick Center Cultural District (Steve Levinsky, et al)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money for the purpose of supporting the initiatives of the Natick Center Cultural District or otherwise act thereon.

### ARTICLE 18 Unpaid Bills (Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide such sums of money as may be required for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick, or otherwise act thereon.

#### ARTICLE 19 Amend By-Laws Article 24: Town Employees and Personnel Board (Town Administrator)

To see if the Town will vote to amend the Town of Natick By-Laws Article 24, specifically Sections 7.3.2A, 7.3.3, 7.3.3A and 7.3.4, said Sections pertaining to the accumulation and utilization of sick leave, or otherwise act thereon.

### ARTICLE 20 Rescind Authorized, Unused Debt (Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects, or otherwise act thereon.

## ARTICLE 21 Rescind Authorized Water & Sewer Enterprise Capital Projects (Town Administrator)

To see if the Town will vote to rescind the authorization for capital projects of the Water & Sewer Enterprise Fund approved under Articles 15 and 16 of the 2012 Spring Annual Town Meeting, or otherwise act thereon.

### ARTICLE 22 Appropriation of Mitigation Funds – Chrysler Road (Board of Selectmen)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the Chrysler Road project to fund a northbound turning lane at Route 135 and Speen Street, for bike route design and development, and for

improvements to the Prime Parkway Sewerage Pump Station, or take other action relative thereto.

### ARTICLE 23 Appropriation of Mitigation Funds – MathWorks (Board of Selectmen)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the MathWorks project to fund various road improvement and affordable housing projects, or take other action relative thereto.

### ARTICLE 24 Board of Assessors: Increase Personal Property Exemptions (Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 42.5% under the provisions of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 which provides for "Optional Additional Property Tax Exemptions" allowing an annually determined, uniform increase in the amount of exemption in General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C (elderly person, disabled veteran, or blind person).

### ARTICLE 25 Establish a Fee for Food Trucks (Board of Selectmen)

To see what fees the Town will establish for the operation of food trucks, or otherwise act thereon.

#### ARTICLE 26 Re-authorization of Revolving Funds (Town Administrator)

To see if the Town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting; to determine: 1) the programs and purposes for which each such revolving fund may be expended; 2) the departmental receipts which shall be credited to each such revolving fund; 3) the board, department or officer authorized to expend money from each such revolving fund; and 4) a limit on the total amount which may be expended from each such revolving fund in the fiscal year which begins on July 1, 2013; or otherwise act thereon.

### ARTICLE 27 Adoption of Statute: Veterans Tax Work-Off Program (Board of Selectmen)

To see if the Town will vote to accept the provisions of Section 5N of Chapter 59 of the Massachusetts General Laws authorizing the Board of Selectmen to establish a program to allow Veterans, as defined in Clause 43 of Section 7 of Chapter 4 of the Massachusetts General Laws, to volunteer to provide services to the Town which shall allow the Town to reduce real property tax obligations of that veteran on the veteran's tax bills, in addition to any exemption or abatement to which that person is otherwise entitled, and further to see if the Town will vote (1) to adjust the exemption by allowing an approved representative for persons physically unable to provide such services to the Town, and (2) to allow the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000;

or otherwise act thereon

#### **ARTICLE 28**

#### By-Law Amendment Regarding Participants in Veterans' Property Tax Work Program (Board of Selectmen)

To see if the Town will vote to amend Article 41, Section 4 of the Town of Natick By-Laws (Compensation of Town Officers and Employees) by deleting the final sentence and replacing it with the following: "Part-time employees whose additional compensation is through the Veterans' or Senior Property Tax Work Program shall be exempt from this requirement," Or otherwise act thereon.

#### ARTICLE 29 Revoke Adoption of Strong Chief Status for Position of Fire Chief (Board of Selectmen)

To see if the Town will vote to revoke the provisions of Chapter 48, Section 42, 43 and 44 of the Massachusetts General Laws, providing for the establishment of a fire department under the control of an officer to be known as the Chief of the Fire Department, which acceptance was voted by the April, 1924 Natick Annual Town Meeting under Article 13, or otherwise act thereon.

### ARTICLE 30 Acceptance of Statute for Operation of Fire Department (Board of Selectmen)

To see if the Town will vote to accept the provisions of Chapter 48, Section 42A of the Massachusetts General Laws, providing for the establishment of a fire department under the direction of the Board of Selectmen, or otherwise act thereon.

#### ARTICLE 31

#### Authorization for Board of Selectmen to Accept, Obtain, Abandon and Relocate Utility Easements (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen, during Fiscal Year 2014, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities; and to abandon or relocate easements acquired for any of the foregoing purposes;

or otherwise act thereon.

#### ARTICLE 32

### Acceptance of New Utility Easement and Abandonment of Old One for Property on Strathmore Road (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to abandon the existing 20 foot wide drain easement on the parcel at 9-11 Strathmore Road (also identified as Map 24 Lot 90HB) or take other action relative thereto.

#### **ARTICLE 33**

### Long-Term Lease & Management Contract: Natick Community Organic Farm (Conservation Commission)

To see if the Town will vote to authorize the Conservation Commission to lease the property owned by the Town of Natick containing approximately twentyseven (27) acres, on which is located the Natick Community Organic Farm; to determine the maximum term of such lease; and to authorize the Conservation Commission to negotiate the other conditions of any such lease, including without limitation the appropriate rent or other compensation for such tenancy,

or otherwise act thereon.

#### ARTICLE 34

#### Home Rule Petition: Alcohol License for the Center for Arts in Natick (Richard Jennett, et al)

To see if the Town will vote to authorize the Selectmen to petition the Legislature to enable legislation to grant an on-premises alcohol license to the Center for Arts in Natick at 14 Summer Street, or otherwise act thereon.

#### ARTICLE 35 Organization of Natick By-Laws (Board of Selectmen)

To see if the Town will vote to approve the proposed Table of Contents for codification of the Town of Natick By-Laws, which would organize the articles of the By-Laws into chapters, organized by subject matter, a copy of which Table of Contents is on file in the office of the Natick Town Clerk;

or otherwise act thereon.

### ARTICLE 36 Typographical Changes to the Natick Charter (Board of Selectmen)

To see if the Town will vote to amend the Natick Home Rule Charter (the Charter) as follows:

- 1. By including in the text the original adoption date of the Charter.
- 2. By moving historical information from the appendices into the text of the Charter, with the text of the applicable provisions.
- 3. By amending Article 3, Section 3-3 b) to change the subsection references from (i) and (ii) to (1) and (2).
- 4. By amending Article 4, Section 4-2 to change the subsection references from (1) through (19) to (a) through (s).
- 5. By amending Article 5, Section 5-4 to change the heading of the subsections from bullet points to (a) through (i).

- 6. By amending Article 6, Section 6-4 to change the heading of the second subsection from (a) to (b).
- 7. By identifying all references to numbers in the text, other than references to dates, by words and by numerals in parentheses, e.g. "five (5)".
- 8. By standardizing capitalization of terms and by correction of typographical errors.

or otherwise act thereon.

#### ARTICLE 37 Reorganization of Zoning By-Laws (Board of Selectmen)

To see if the Town will vote to amend and recodify the Zoning Bylaw as follows:

1. Delete, in their entireties, the following provisions of the existing Zoning By-Law:

Section I: General
Section II: Use Districts
Section III: Use Regulations
Section IV: Intensity Regulations
Section V: Special Requirements
Section VI: Administration

2. Substitute the following provisions in the document entitled "Zoning By-Law, on file in the office of the Town Clerk and the Planning Board:

| • | Section 1.0  | Purpose and Authority             |
|---|--------------|-----------------------------------|
| • | Section 2.0  | Districts                         |
| • | Section 3.0  | Use Regulations                   |
| • | Section 4.0  | Dimensional Controls              |
| • | Section 5.0  | Nonconforming Uses and Structures |
| • | Section 6.0  | General Regulations               |
| • | Section 7.0  | Special Regulations               |
| • | Section 8.0  | Special Residential Regulations   |
| • | Section 9.0  | Special District Regulations      |
| • | Section 10.0 | Highway Districts                 |
| • | Section 11.0 | Administration and Procedures     |
| • | Section 12.0 | Definitions                       |
|   |              |                                   |

Or take any other action relative thereto.

### ARTICLE 38 Amend By-Laws: Medical Marijuana Moratorium (Board of Selectmen)

TEMPORARY MORATORIUM, MEDICAL MARIJUANA TREATMENT CENTERS

To see if the Town will vote to amend the By-Laws as follows: by adding a new Article 85, Temporary Moratorium, Medical Marijuana Treatment Centers as follows:

#### Section 1. Medical Marijuana Treatment Center

A medical marijuana treatment center is defined as a not-for-profit entity (as defined by Massachusetts law only), that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

#### Section 2. Purpose

This moratorium is intended to provide restrictions that will allow the Town of Natick ("the Town") adequate time to consider whether to allow facilities associated with the medical use of marijuana (including Medical Marijuana Treatment Centers as defined herein), to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the cultivation, distribution, possession and use of marijuana for medical purposes in the Commonwealth of Massachusetts was approved by vote at the state election on November 6, 2012 and has become effective on January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities and other uses related to the regulation of medical marijuana in the Town shall provide the opportunity: to study and consider the potential impacts of such facilities and other related uses on adjacent uses and on general public health, safety and welfare; to study and consider the related novel and complex legal and planning issues; and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

#### Section 3. Exclusion of Other Marijuana Uses

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

#### Section 4. Exclusion of Accessory Uses

In no case shall the acquisition, cultivation, possession, processing, transference, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

#### Section 5. Temporary Moratorium

Medical Marijuana Treatment Centers and related uses shall not be permitted in the Town so long as this Moratorium is effective, as set forth in subsection 5 below and notwithstanding any provision in the By-Laws of the Town to the contrary. During this Moratorium, the Town shall undertake a planning process consistent with the purposes set forth herein.

#### Section 6. Expiration

This Moratorium shall be effective until May 1, 2014, which is one (1) year from the deadline for the Massachusetts Department of Public Health to promulgate regulations pursuant to the Medical Use of Marijuana Law voted at the state election on November 6, 2012, or until such future time that the Natick Town Meeting votes otherwise;

#### or otherwise act thereon.

## ARTICLE 39 Amend Zoning By-Laws: Medical Marijuana Moratorium (Board of Selectmen)

TEMPORARY MORATORIUM, MEDICAL MARIJUANA TREATMENT CENTERS

To see if the Town will vote to amend the Zoning By-Laws as follows:

 by amending Section 200, Definitions, by adding a definition for medical marijuana treatment centers, as follows: Medical Marijuana Treatment Center A not-for-profit entity (as defined by Massachusetts law only), that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

- 2. and by adding a new Section III-J, Temporary Moratorium Medical Marijuana Treatment Centers at the end of Section III, Use Regulations, as follows:
  - Temporary Moratorium Medical Marijuana Treatment Centers
  - Purpose. This moratorium is intended to provide restrictions that will allow the Town of Natick ("the Town") adequate time to consider whether to allow facilities associated with the medical use of marijuana (including Medical Marijuana Treatment Centers as defined herein), to the extent that such facilities are permitted under state laws and regulations, and, if so, where and under what conditions. Given that a law permitting the cultivation, distribution, possession and use of marijuana for medical purposes in the Commonwealth of Massachusetts was approved by vote at the state election on November 6, 2012 and has become effective on January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities and other uses related to the regulation of medical marijuana in the Town shall provide the opportunity: to study and consider the potential impacts of such facilities and other related uses on adjacent uses and on general public health, safety and welfare; to study and consider the related novel and complex legal and planning issues; and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.
  - 2. Exclusion of Other Marijuana Uses. Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operated

- as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.
- 3. Exclusion of Accessory Uses. In no case shall the acquisition, cultivation, possession, processing, transference, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.
- 4. Temporary Moratorium. The use of land and/or structures for Medical Marijuana Treatment Centers and related uses shall not be permitted in any zoning district in the Town so long as this Moratorium is effective, as set forth in subsection 5 below and notwithstanding any provision in the Zoning Bylaws of the Town to the contrary. Use variances shall be strictly prohibited. During this Moratorium, the Town shall undertake a planning process consistent with the purposes set forth herein.
- 5. Expiration. This Moratorium shall be effective until May 1, 2014, which is one (1) year from the deadline for the Massachusetts Department of Public Health to promulgate regulations pursuant to the Medical Use of Marijuana Law voted at the state election on November 6, 2012, or until such future time that the Natick Town Meeting enacts superseding zoning bylaw(s) that set forth the allowed locations, dimensional, parking and other requirements applicable to medical marijuana uses (including Medical Marijuana Treatment Centers);

or otherwise act thereon.

### ARTICLE 40 Amend By-Laws: Civil Fingerprinting (Board of Selectmen)

To see if the Town will vote to amend Article 50 of the Town of Natick By-Laws by adding a new Section at the end thereof to create a by-law enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for or in possession of certain licenses including but not limited to those listed below, as authorized by Chapter 256 of the Acts of 2010, and incorporated into the Massachusetts General Laws as Chapter 6, Section  $172 \ B \ \frac{1}{2}$ 

- Hawking and Peddling or other Door-to- Door Salespeople,
- Manager of Alcoholic Beverage License
- Owner or Operator of Public Conveyance

- Dealer of Second-hand Articles
- Pawn Dealers,
- Hackney Drivers, and,
- Ice Cream Truck Vendors

And to adopt appropriate policies and procedures to effectuate the purposes of this by-law, or take any other action relative thereto.

### ARTICLE 41 Street Acceptance: Main Street (Town Administrator)

To see if the Town will vote to accept Main Street as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Main Street, and any appurtenant drainage, utility or other easements related to said Main Street, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article, or otherwise act thereon

# ARTICLE 42 Rescission of Fees for Senior Citizens to Use the Fitness Room at the Community-Senior Center (Jerry Pierce, et al)

To see if the Town will vote to direct the Board of Selectmen to reconsider the policy of charging Senior Citizens a fee to use the Fitness Room at the new Community-Senior Center. This fee is tantamount to another tax on a population of many Natick residents who are already in need of financial assistance in order to stay in their homes. When members of the Natick community advocated town-wide for passage of the debt-exclusion override to build a new Community-Senior Center, there was no mention of fees to use the new Center. The intent of this Article is to provide financial relief for the Senior Citizens of Natick; to direct the Board of Selectmen to consider what was promulgated during the campaign for the new Community-Senior Center; or to take any action relative thereto.

### ARTICLE 43 Committee Article (Board of Selectmen)

To hear the reports of the several Town officers and reports of committees authorized by vote of any further Town Meeting and to authorize a sum of money for the purpose thereof, or otherwise act thereon.

The above articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 2 of the Acts of 1938 and Amendments thereto and the Town Charter and subject to the referendum provided thereby.

You are directed to serve this warrant by causing an attested copy of said Warrant to be posted in the Post Office in said Natick, to wit: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Recreation Center, 179 Boden Lane; Precinct 3: Kennedy Middle School, Mill St.; Precinct 4: TCAN; Summer Street; Precinct 5: Wilson Middle School, Rutledge Road; Precinct 6: East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7: Lilja Elementary School; Bacon Street; Precinct 8: Natick High School: 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street and Precinct 10: Memorial Elementary School, 107 Eliot St.

Above locations being at least one public place in each Precinct, in the Town of Natick, and also posted in the Natick U.S. Post Office, Town Hall, Bacon Free Library and Morse Institute Library seven days at least before April 23, 2013; also by causing the titles of the articles on the warrant for the 2013 Spring Annual Town Meeting to be published once in the Newspaper called "<u>The Metrowest Daily News</u>", with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be Friday, March 1, 2013.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for holding said meeting.

Given under our hands this 25th day of February, 2013.

PAUL R. JOSEPH CAROL A. GLOFF CHARLES M. HUGHES
Chair Vice Chair Clerk

JOSHUA OSTROFF
Member

NICHOLAS S. MABARDY
Member

#### Board of Selectmen for the Town of Natick

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 AM – 5:00 PM, Monday through Wednesday; 8:00 a.m.-8:00 p.m. on Thursday and 8:00 AM-12:30 p.m. Friday and at the Town web site <a href="www.natickma.gov">www.natickma.gov</a>.

#### OFFICER'S RETURN COMMONWEALTH OF MASSACHUSETTS

Natick, Middlesex

Pursuant to the warrant for the 2013 Natick Spring Annual Town Meeting, I have this day notified the qualified Town Meeting Members to assemble at the time, place and for the purpose within mentioned by posting the warrant as within directed and in accordance with the Town of Natick Home Rule Charter and the Town of Natick By-Laws.

| DATE(S) DULY POSTED  |
|--|
|  |
| Signature of Constable   |
| <del></del>  |
| Date   |
| OFFICER'S RETURN<br>COMMONWEALTH OF MASSACHUSETTS  |
| Natick, Middlesex  |
| Pursuant to the Town of Natick Home Rule Charter and the Town of Natick By-Laws, I have caused the titles of the articles on the warrant for the 2013 Natick Spring Annual Town Meeting and a notice of availability of an attested copy of said warrant to be published in the newspaper called <i>The MetroWest Daily News</i> in the issue published in the said Town of Natick on March 1, 2013. |
| Signature of Town Administrator  |
| Date   |